

## **REMARKS**

Claims 1-15 are pending in this application. The Examiner rejected the claims as follows. Claims 11, 12, and 15 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0111139 (Nishiyama). Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nishiyama in view of U.S. Patent No. 5,742,492 (Matthews). Claims 1-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matthews in view of U.S. Patent Publication No. 2001/0006388 (Kim). Claims 5 and 7-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matthews, in view of Kim and further in view of Nishiyama.

It is gratefully acknowledged that Claims 6 and 13 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Regarding the Examiner's rejection of independent Claim 11, the Examiner states that Nishiyama teaches each and every element of Claim 11. After reviewing Nishiyama, it is respectfully submitted that the Examiner is incorrect.

Nishiyama discloses a data distribution system capable of distributing to a mobile communication terminal information suited for the location (e.g., guide information) that

is capable of allowing users to freely access the information. In other words, Nishiyama discloses an information system such as those used in museums and zoos which provide information to a user (e.g., who can be member of the museum or zoo) based upon the user's position (e.g., location in a museum). For example, if a user is standing in a location which is near the Mona Lisa, the system will provide information about the Mona Lisa to the user. Likewise, when the user goes to the elephant display and accesses a zoo guide service, a menu screen 201 is displayed. Nishiyama further teaches that screen 1201 of FIG. 12 is same as menu screen 201 of FIG. 2 (paragraphs 33-34 and 67). In other words, screens 201 and 1201 are screens displaying menus for information relating to elephants currently being viewed and for guiding a visitor in a zoo.

The Examiner equates the first menu plane, which is generated when a menu is registered by the user, as recited by Claim 1, with screen 1201 of Nishiyama. However, it is respectfully submitted that the Examiner is incorrect. First, as discussed above, Nishiyama teaches screen 1201 is displayed (as opposed to being generated when a menu is registered by the user) to guide a user in, for example, a zoo. Second, Nishiyama teaches screens 1201-1204 are merely screens which display information or are used to obtain information about a user (e.g., a users, name, address, and telephone number). However, these screens are not used for generating a first menu plane including at least one menu registration slot associated with the registered menu, as recited in Claim 1.

Moreover, the Examiner equates the recitation of “registering a menu,” as recited Claim 11, with “member registration” menu option as taught by Nishiyama (e.g., see, Office Action, Page 2). However, it is respectfully submitted that the Examiner is incorrect. As taught by Nishiyama, the member registration menu is a menu for registering a user as a member of an organization such as a zoo. In contrast, Claim 11 includes the recitation of a “menu registration,” as opposed to a member registration menu.

Moreover, in contrast to that which is taught by Nishiyama, Claim 11 recites when a menu is registered by a user, generating a first menu plane including at least one menu registration slot associated with the registered menu, which is neither taught nor suggested by Nishiyama. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §102(b) of Claim 11 be withdrawn.

Regarding the Examiner’s rejection of independent Claim 1, the Examiner states that the combination of Matthews and Kim teaches each and every limitation of Claim 1. More specifically, the Examiner states that Matthews teaches each and every limitation of Claim 1 except for a control unit for dynamically generating and deleting a plurality of menu planes according to a user’s setting, each menu plane including at least one menu item, which the Examiner states is taught in Paragraphs 7-8 and 82 of Kim (Office Action, pp 4-5). After reviewing Kim, it is respectfully submitted that the Examiner is

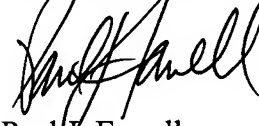
incorrect. Kim teaches a display window displaying menu items and further teaches typically two or three menu items can be displayed on the display window. Kim further teaches moving the cursor down to view items not displayed on the display (e.g., see, paragraphs 7-8). Although Kim teaches an “EZ mode menu,” Kim teaches this menu is fabricated at a mobile station manufacturer and a user merely adds/subtracts menu items to/from the EZ mode menu (e.g., see, paragraph 52). Moreover, the EZ mode menu is a single menu listing menu and corresponding submenu items. In contrast, Claim 1 includes the recitation of a control unit for dynamically generating and deleting a plurality of menu planes according to a user’s setting, each plane including at least one menu item, which is neither taught nor suggested by the combination of Matthews and Kim. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of Claim 1 be withdrawn.

Independent Claims 1 and 11 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-10 and 12-15, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-10 and 12-15 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-15, are believed to be in condition for allowance. Should the Examiner believe that a

telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul V. Farrell", written over the typed name.

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